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C O N F I D E N T I A L SECTION 01 OF 03 MUSCAT 000206

SIPDIS

C O R R E C T E D C O P Y -- PRIORITY PRECEDENCE ADDED

SIPDIS

DEPARTMENT FOR NEA/ARP, G/TIP AND DRL

E.O. 12958: DECL: 02/26/2017

TAGS: PHUM PREL KCRM KWMN SMIG MU

SUBJECT: CORRECTED COPY - OMANIS HIRING MAIDS FROM THE UAE: PROBABLY  
LEGAL, BUT PROBLEMATIC

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Classified By: Ambassador Gary A. Grappo, reasons 1.4 b/d.

¶1. (C) Summary: Embassy contacts report that Omanis are hiring domestic employees from recruitment agencies in the United Arab Emirates (UAE) and bringing them across the border into Oman. The practice of hiring maids from a third-country allegedly is legal, but a number of women who claim to have entered Oman as housemaids via the UAE say that they were coerced into accepting employment here. Activists further contend that the practice deprives domestic employees of access to support services, including those from their own embassies in Muscat, and increases their vulnerability to abuse. Post will continue to engage with the Ministry of Manpower and the Royal Oman Police on this issue. End summary.

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The Cross-Border Process  
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¶2. (C) Over the past few months, poloff has spoken with more than 15 housemaids from Sri Lanka and the Philippines who claim that they originally were recruited to work in the UAE - specifically Abu Dhabi, Dubai and Al Ayn ) but ended up working in Oman. The women, who had left their Omani sponsors to seek shelter in safe houses managed by their respective embassies in Muscat, all claimed that they had run away from their original sponsors in the UAE and sought assistance ) either a new work assignment or repatriation ) from the recruitment agency that had brought them into the country. Instead of offering them help, however, the staff at the agencies allegedly told the women that they had gained a reputation as "problem employees" and, therefore, were unemployable in the UAE. UAE immigration authorities subsequently canceled the women's visas and placed a one-year ban in their passports on work and re-entry.

¶3. (C) According to the women, their agencies in the UAE also refused to repatriate them, claiming that the housemaids already had cost them too much money and insisting that the women's only alternative was to accept work in Oman or another country. When some of the women complained, the staff at the agencies threatened them with reassignment to their original UAE sponsor, regardless of the alleged troubles or abuse they had earlier sought to escape. In some cases, the women claimed that agency employees threatened them with sexual abuse.

¶4. (C) The women told poloff that they had stayed at their

respective agencies until they were interviewed and hired by an Omani employer. (Note: Although some of the women recounted that Omanis hired them directly from agencies in Abu Dhabi and Dubai, most said that they were sent to agencies in Al Ayn, which acted as the primary intermediaries. Post is attempting to get the names of some of the agencies in Al Ayn, which we will pass to Embassy Abu Dhabi. End note.) They further claimed that they did not sign a formal contract with their new sponsors specifying wages, time off or medical benefits. One woman said that she signed a handwritten sheet that simply committed her to work in Oman for two years. Another woman said that the paper she signed obligated her to a two-month salary deduction. The new Omani sponsors reportedly then took the women's passports and brought them through the UAE-Oman border crossing at al Buraimi to Omani households as far east as Sohar. The women stated they eventually ran away from their Omani employers for reasons including non-payment of wages, long hours ) sometimes working for multiple households in the sponsor's extended family ) and sexual abuse.

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A Thriving Business  
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15. (C) Contacts in al Buraimi tell poloff that there is a high demand among Omanis for domestic employees residing in the UAE because the process of bringing them across the border is significantly faster than recruiting them from their country of origin. Poloff spoke with two Filipina women who used to work as managers of a manpower recruitment agency in al Ayn. They claimed that their agency did a brisk business with Omani customers, and estimated that more than 1,000 women per year passed through their agency alone into Oman. They claimed that sponsors could interview, hire and take home a new maid in as little as a week, approximately the amount of time necessary to complete the processing for an Omani work visa, and only one quarter of the time it generally takes to bring a maid directly from her home country. The former managers also claimed that some Omanis

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provided their new maids with tourist visas to enter Oman, in which case the hiring process took as little as one hour.

16. (C) The manager of Al Jazeel Recruitment Agency in al Buraimi, whose company is facing competition from the cross border business, asserted that by hiring maids through a third country like the UAE, Omanis save considerable time since they do not have to wait for these domestic employees to travel from their home countries. In addition, as the housemaids already have been cleared to work and reside in the UAE, Omani sponsors are able to avoid having the maids' embassies review and approve their new contracts, an often time-consuming pre-requisite that governments of several labor-supplying countries have instituted before allowing their nationals to travel abroad for employment. Hiring a maid from al Ayn also saves Omani employers money, he said, because the sponsor does not have to bear the cost of airline tickets, or - if the employee already received her permit to work in the UAE - pay for a new medical exam.

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It May Be Legal ...  
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17. (C) Officials at the Ministry of Manpower (MOM) confirmed that Omanis are bringing maids across the border from the UAE, but claim that the process is legal. Saleh al-Amri, Director General of Labor Care at the MOM, told poloff that the law does not require a sponsor to indicate how a maid is brought into Oman or from where she is coming. The law does state, however, that every sponsor who wants to bring a housemaid into Oman must get a labor clearance from the MOM which indicates, among other things, that he or she has enough income to support a foreign worker. While some

countries require that their embassies in Muscat approve maids' contracts before allowing them to enter into employment in Oman, such as the Philippines and Sri Lanka, al-Amri said that embassy approval is not a formal part of the labor clearance process. According to al-Amri, the labor clearance, as well as the MOM's worker complaint hotline and other support services, help protect domestic employees from abuse.

¶ 8. (C) The ROP captain in charge of immigration control in the al Buraimi area likewise stated that there is no prohibition against third-country maids crossing the border from the UAE, but added that there are rules to regulate it. Every domestic employee must be accompanied by her sponsor and be in possession of a valid visa that specifies her employment as housemaid.<sup>8</sup> His officers do not check for any other paperwork, such as a signed contract, he stated, since a MOM labor clearance is a pre-requisite for getting a work visa. He further claimed that sponsors would be unable to sneak housemaids into Oman as tourists through the al Buraimi border crossing because Omani law forbids certain nationalities - including Indian, Sri Lankan and Filipino - from obtaining tourist visas at the border. (Note: The border area around al Buraimi is a notorious transit point for smuggled goods and illegal immigrants. The government is considering steps to more firmly demarcate the border in this region, on which poloff will report septel. At present, the Omani customs and immigration check point is 30 kilometers inside the Omani border. End note.)

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... but Problematic  
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¶ 9. (C) Labor attaches in the Philippine and Sri Lankan embassies complain that the process of bringing a maid from the UAE increases these women's vulnerability to abuse as it circumvents their ability to review and approve worker contracts. The labor attaches often have no idea that a domestic employee who enters from the UAE is even in the country until she shows up at their embassies or one of their safe houses. Also, since these housemaids have no local employment agency, there is no company from which to seek financial redress for unpaid wages or to cover the cost of repatriation. The labor attaches claim that more than half of the women who seek shelter in their safe houses each month say that they originally worked for sponsors in the UAE.

¶ 10. (C) The Sri Lankan attach told poloff that Sri Lankan maids lose the insurance they purchased in Sri Lanka to cover work-related loss due to disability or non-payment of wages, or a ticket home in the event of sickness or termination, the moment they leave the country to which they were originally contracted for work. As a result, he said, many women arrive completely destitute at the Sri Lankan embassy seeking

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assistance. According to maids in the safe houses, most had no idea where to go for assistance once they had been transferred to Oman. One woman said that she was able to get to the Sri Lankan Embassy in Muscat, a distance of more than 2.5 hours from her sponsor's home, only because she was able to find a taxi driver at a local gas station who knew the way.

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Comment  
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¶ 11. (C) Contacts in the Philippine and Sri Lankan embassies complain that they are unable to convince government interlocutors that the process of hiring maids from the UAE is a problem that needs to be addressed. The Philippine Embassy particularly is concerned that the ability to hire maids across the border as an alternative to hiring them directly from the Philippines with appropriate embassy oversight and supervision will undermine the Philippine's new

minimum wage and age requirements for maids, which are set to enter into force in Oman on March 1. The Filipinos also point out that the ROP's Passports and Residency Manual states that Filipina maids need a permit from their embassy, attested by Oman's Ministry of Foreign Affairs, in order to reside in Oman. Post believes it is prudent that the government of Oman require that all domestic employment contracts be approved by the employee's home-country embassy before a sponsor receives a labor clearance.

GRAPPO